

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. John Regis O'Donoghue

Docket No. 5:16-CR-241-1FL

Petition for Action on Supervised Release

COMES NOW Michael Torres, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of John Regis O'Donoghue, who, upon an earlier plea of guilty to Felon in Possession of Ammunition, in violation of 18 U.S.C. 922(g)(1) & 924(a)(2), was sentenced by the Honorable Louise W. Flanagan, U.S. District Judge, on March 1, 2017, to the custody of the Bureau of Prisons for a term of 37 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 36 months. John Regis O'Donoghue was released from custody on June 28, 2019, at which time the term of supervised release commenced.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: On August 07, 2019, the defendant committed the offense of Driving While Impaired and Possession of an Open Container of Alcohol (19CR 059519) in Cumberland County, North Carolina. The defendant admitted to the conduct and was verbally reprimanded by this officer for his behavior. This officer also utilized a cognitive behavioral intervention on the defendant. As a sanction for his conduct, we recommend that the conditions of supervision be made to include 60 days of alcohol monitoring and alcohol abstinence for the remainder of the defendant's supervision period.

The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall abstain from the use of any alcoholic beverages, shall not associate with individuals consuming alcoholic beverages, shall not frequent business establishments whose primary product to the consumer is alcoholic beverages, and shall not use any medication containing alcohol without the permission of the probation office or a prescription from a licensed physician.
2. The defendant shall abide by all terms and conditions of the Remote Alcohol Monitoring Program, as directed by the probation officer, for a period not to exceed 60 consecutive days.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Eddie J. Smith

Eddie J. Smith
Supervising U.S. Probation Officer


/s/ Michael Torres

Michael Torres
U.S. Probation Officer
150 Rowan Street Suite 110
Fayetteville, NC 28301
Phone: 910-354-2534
Executed On: August 12, 2019

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ORDER OF THE COURT

Considered and ordered this 14th day of August, 2019, and ordered filed and made a part of the records in the above case.



Louise W. Flanagan
U.S. District Judge